



---

## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 7/6/22

gan **Mr A Thickett BA (Hons) BTP Dip  
RSA MRTPI**

**Arolygydd a benodir gan Weinidogion  
Cymru**

**Dyddiad: 06/07/2022**

## Appeal Decision

Site visit made on 7/6/22

by **Mr A Thickett BA (Hons) BTP Dip  
RSA MRTPI**

**an Inspector appointed by the Welsh  
Ministers**

**Date: 06/07/2022**

---

**Appeal Ref: CAS-01568-B0K0Y1**

**Site address: Land off Maesllwyn Lane, Bronington, Wrexham, SY13 3JB**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
  - The appeal is made Mr M Pugh against an enforcement notice issued by Wrexham County Borough Council.
  - The enforcement notice, ref: AR/041409, was dated 2 December 2021.
  - The breach of planning control as alleged in the notice is: without planning permission, the unauthorised change of use of the land from a woodland to a mixed use of a woodland and the siting of a residential motor home.
  - The requirements of the notice are: to permanently cease the unauthorised use of the motorhome for residential purposes on the land.
  - The period for compliance with the requirements is: 3 months from the date the notice takes effect.
  - The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.
- 

### Decision

1. The appeal is dismissed and the enforcement notice is upheld.

### Reasons

2. An appeal under ground (g) is that the time given to comply with the requirements of the Enforcement Notice is too short. On submitting the appeal, the appellant's representative reported that Mr Pugh was to meet a Housing Officer from the Council on 6 January 2022 after which he would be able to indicate how much time he needed to comply with the notice.
3. In response to my request for an update Mr Pugh's representative reported that Mr Pugh has been informed that he is not considered homeless. Further, although Mr Pugh has been put on the Council's housing waiting list, he does not have enough points to be rehoused immediately, nor are there any Council properties available locally should he be forced into a homeless situation.

4. Mr Pugh's representative states that he has '*gone through personal issues which has left him in the position he is in*'. That position presumably leaving him with nowhere to live except the motorhome. Mr Pugh is said to be on low income and unable to obtain a mortgage or afford to rent a property in the area. However, I have seen no evidence of income or property prices. I note Mr Pugh's family links to Bronington but have not read anything to demonstrate that it is essential for him to live there.
5. I have taken into account that the result of the Notice is that Mr Pugh will no longer be able to use the appeal site as a place to live in his motorhome and could be homeless. However, should the time period for the notice be extended there seems to be no guarantee that Mr Pugh's circumstances will be any different. Mr Pugh has not appealed on any other ground so accepts he should not be using the site to live in his motorhome. It is accessed by a narrow lane, not suitable for large vehicles and I do not consider the breach should be allowed to continue for any longer than set out in the notice. Three months is a reasonable period to find brick and mortar accommodation, nor have I seen anything to show that it would not be possible in this time to secure a pitch for the motorhome on an authorised site.

### **Conclusion**

6. For the reasons given above and having regard to all matters raised, I conclude that the specified period of compliance reasonably balances the competing private and public interests. As such the appeal is dismissed and the enforcement notice upheld.
7. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards making our cities, towns and villages even better places in which to live and work.

*A Thickett*

Inspector